

## Compliance Assessment Report CAR\_NRW0038492

**Permit being assessed:** RP3733PC.

For: Trecatti Landfill, held by Biffa Waste Services Ltd

At: Trecatti Landfill Site, Fochriw Road, Merthyr Tydfil, Merthyr Tydfil, CF48 4AB.

**Type of assessment carried out:** Audit, Reason: Routine.

On 08/07/2021 between 10:00 and 13:00.

Parts of permit assessed: 1.1 Management

**NRW Lead Officer:** Richard Taylor.

**Report sent to:** Simon Milford, Site Manager on 09/07/2021.

### 1. Summary of our findings (full details in section 4)

| Part of permitted activity assessed (criteria)                            | Assessment result | Permit condition |
|---------------------------------------------------------------------------|-------------------|------------------|
| B1 - Infrastructure - Engineering for prevention and control of emissions | Assessed (A)      |                  |
| D1 - Incident Management - Site security                                  | Assessed (A)      |                  |
| B5 - Infrastructure - Plant and equipment                                 | Assessed (A)      |                  |
| F1 - Amenity - Odour                                                      | Assessed (A)      |                  |
| F2 - Amenity - Noise                                                      | Assessed (A)      |                  |
| F3 - Amenity - Dust/fibres/particulates and litter                        | Assessed (A)      |                  |
| F4 - Amenity - Pests/birds and scavengers                                 | Assessed (A)      |                  |
| F5 - Amenity - Deposits on road                                           | Assessed (A)      |                  |
| E1 - Emissions - Air                                                      | Assessed (A)      |                  |

Result types are explained in more detail in the 'Important Information' section below.

| Total number of non-compliances recorded | Total non-compliance score |
|------------------------------------------|----------------------------|
| 0                                        | 0                          |

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

### 2. What action is required?

No action required.

### 3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

**At this time, we do not intend to take any further action.**

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

## 4. Details of our assessment

Trecatti Site Visit 8<sup>th</sup> July 2021.

### Introductions

Site Officer RT took the opportunity to carry out a routine site inspection after a lull in Covid 19 restrictions made site visits and inspections possible. Nevertheless Covid 19 measures were seen to be in place and adhered to throughout the visit. The inspection focussed on the general management of the site and looked at the gas collection compound as well as the site viewing platform which gave an overview of the site.

Biffa personnel present were Simon Milford (Site Manager), Hannah Clifford (Regional Environmental Manager) as well as key site staff.

Site reported that business was largely unaffected by the Covid crisis and has kept operating throughout. There have been no issues with manning levels, with no furloughed workers. The site is approximately operating at 80% of standard levels. Site monitoring requirements have been met in full throughout. Some delays have been experienced for lining materials from Germany.

### 1. Asbestos cell

Site permit variation adding new EWC codes to Standard non-hazardous waste (SNRHW) cell. This issue is currently being reviewed by NRW. At present there is an issue with the wording in the Landfill Directive and guidance which does not allow the mixing of other wastes with asbestos in the dedicated asbestos cell. However, The Environment Agency have allowed the placement of stable non-reactive waste in a Biffa owned landfill site in Surrey. This has produced a grey area which needs to be resolved so that both agencies are regulating sites consistently and within the regulations.

**NRW permitting is currently liaising with the EA on this issue.**

### 2. Inclometers

These were discussed at the site meeting. Currently the inclinometers are included into the site permit. A variation application from the site has asked for these to be removed. The variation is currently being determined. Again, Biffa's Surrey site does not have inclinometers, meaning that the inclusion of these at Trecatti needs to be justified by NRW in the variation decision.

**NRW permitting is currently liaising with the EA on this issue.**

### 3. Subsistence fee query.

Site reported being billed incorrectly for the latest subsistence fee. The site should have been charged as a Band B performer, but reportedly has been charged as a and C which is an extra 10%. Site Officer agreed in principle that this is the case and that this situation should be rectified.

**Action – Site to send a copy of the latest bill.**

### 4. Complaints

NRW and site have received 2 complaints so far in the calendar year attributed to gas control. Both were not thought to originate from this site and were closed as unsubstantiated on the NRW WIRS

system. Complaints against the site are on a downward trajectory year on year.

#### **5. leachate levels.**

Levels were reported to be steady, and well below permit limits.

#### **6. Surface water.**

No issues reported. Site has occasional pump changeovers but carry sufficient spares for this reason. Pumps are regarded as critical site equipment.

Site uses ASL labs for analysis and collection. No issues with the site contract or scheduled collection. The site has x2 dedicated fridges to store the samples prior to collection. These were checked on the day and found to be at the recommended sample storage temperature, labelled, and used only to store samples.

#### **7. Landfill gas.**

There were no reported issues in landfill gas control. Pumps and condensate knock out pots were seen to be operating. At the time of the visit x3 gas engines were being used. Flare crossovers are automatic. On time readings are available via telemetry as well as alarms. The gas compound was clean and tidy. Safety notices were up to date and accessible. DSEAR markings were prominent on relevant equipment.

#### **8. Wind-blown waste.**

No wind-blown waste was present on site. The site was clean and tidy. Site carries out litter picking on the road up to the site on a voluntary basis. No excess littering was observed on the external public areas leading up to the site. No uncontrolled littering was seen inside the permit boundary. The current tipping cell was seen as being kept to a minimal size.

#### **9. Birds**

Some seagulls were present over the site, but not excessive. The site continues to employ the services of a bird of prey twice per week but is investigating other tactics to keep the numbers low. The absence of putrescible waste has seen bird numbers continue to drop.

#### **10. Pests and Vermin**

Ecolab are employed by site to check bait boxes once per week. Fly spraying is also carried out once per week. No vermin or insect pests were present during the inspection.

#### **11. FID walk-over survey.**

A survey of the effectiveness of the capping is scheduled to be carried out in the coming months. NRW intend to carry out check surveying before the year end.

**Action – Site to send results of the latest walkover results.**

#### **12. Odour, Noise, Vibration**

No noticeable odour was present from the landfill. At the time of the inspection the wind direction was blowing over the landfill towards the viewing platform. Contaminated soil from a Kerosene spill was being processed at the time with no noticeable odour produced. No excess noise was heard, and no ground vibration was experienced from the machinery seen to be operating around the site.

End.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

## Important information

### Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

### Assessment results and non-compliance categories (used in section 1):

| Assessment result | Description                                                       |
|-------------------|-------------------------------------------------------------------|
| Assessed (A)      | Assessed or assessed in part, no evidence of non-compliance found |
| Action only (X)   | Action only relating to the activity assessment                   |
| Ongoing (O)       | Ongoing non-compliance, not scored                                |

| Non-compliance category    | Description                                                                                                                 | Score |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------|-------|
| C1 Major                   | Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property | 60    |
| C2 Significant             | Potential to have a significant impact or effect on the environment, people and/or property                                 | 31    |
| C3 Minor                   | Potential to have a minor or minimal impact or effect on the environment, people and/or property                            | 4     |
| C4 No environmental impact | Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property       | 0.1   |

### How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

**What are suspended scores?**

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

**Full list of Industry and Waste action criteria (used in section 1 and 2):****A: Permitted activities**

- A1 Specified by permit

**B: Infrastructure**

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

**C: General management**

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

**D: Incident management**

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

**E: Emissions**

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

**F: Amenity**

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

**G: Monitoring and records, maintenance and reporting**

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

**H: Resources efficiency**

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

## Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

## Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

## Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

## What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk) for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at [ask@ombudsman.wales](mailto:ask@ombudsman.wales)

## Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.